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HOUSE BILL 402

46TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2003

INTRODUCED BY

John A. Heaton

FOR THE LEGISLATIVE HEALTH AND HUMAN SERVICES COMMITTEE

AN ACT

RELATING TO MEDICAID; DIRECTING THE HUMAN SERVICES DEPARTMENT TO ESTABLISH A WAIVER PROGRAM TO PROVIDE PRESCRIPTION DRUGS FOR CERTAIN SENIORS AND DISABLED PERSONS; MAKING AN APPROPRIATION; DECLARING AN EMERGENCY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. ~~PRESCRIPTION DRUG WAIVER PROGRAM - PURPOSE -~~
ELIGIBILITY. -- Subject to the availability of state funds and consistent with the federal Social Security Act, the human services department shall create a medicaid waiver program and may by regulation provide prescription drugs to seniors over the age of sixty-five with incomes of no more than one hundred eighty-five percent of the federal poverty level and to persons who meet the state's fiscal eligibility criteria for the developmental disabilities waiver program and the disabled and

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1 elderly waiver program, whether or not enrolled.

2 Section 2. APPROPRIATION. -- One hundred fifty thousand
3 dollars (\$150,000) is appropriated from the general fund to the
4 human services department for expenditure in fiscal years 2003
5 and 2004 for the purpose of establishing a program to provide
6 prescription drugs to certain seniors over sixty-five years of
7 age and to persons eligible for services under the state's
8 medicaid waiver programs for the developmentally disabled and
9 for elderly and disabled persons, by applying to the federal
10 centers for medicare and medicaid services for a Title 19
11 waiver of the state's medicaid program. The department shall
12 include, to the extent practicable, cost-sharing provisions so
13 as to minimize state general fund expenditures. This
14 appropriation includes funds for application, start-up and
15 outreach efforts. Any unexpended or unencumbered balance
16 remaining at the end of fiscal year 2004 shall revert to the
17 general fund.

18 Section 3. EMERGENCY. -- It is necessary for the public
19 peace, health and safety that this act take effect immediately.

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